

108TH CONGRESS
1ST SESSION

S. 554

To allow media coverage of court proceedings.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2003

Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. DEWINE, Mr. ALLEN, Mr. CRAIG, Mr. GRAHAM of South Carolina, Mr. TALENT, and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To allow media coverage of court proceedings.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 In this Act:

5 (1) **PRESIDING JUDGE.**—The term “presiding
6 judge” means the judge presiding over the court
7 proceeding concerned. In proceedings in which more
8 than 1 judge participates, the presiding judge shall
9 be the senior active judge so participating or, in the
10 case of a circuit court of appeals, the senior active
11 circuit judge so participating, except that—

1 (A) in en banc sittings of any United
 2 States circuit court of appeals, the presiding
 3 judge shall be the chief judge of the circuit
 4 whenever the chief judge participates; and

5 (B) in en banc sittings of the Supreme
 6 Court of the United States, the presiding judge
 7 shall be the Chief Justice whenever the Chief
 8 Justice participates.

9 (2) APPELLATE COURT OF THE UNITED
 10 STATES.—The term “appellate court of the United
 11 States” means any United States circuit court of ap-
 12 peals and the Supreme Court of the United States.

13 **SEC. 2. AUTHORITY OF PRESIDING JUDGE TO ALLOW**
 14 **MEDIA COVERAGE OF COURT PROCEEDINGS.**

15 (a) AUTHORITY OF APPELLATE COURTS.—Notwith-
 16 standing any other provision of law, the presiding judge
 17 of an appellate court of the United States may, in the dis-
 18 cretion of that judge, permit the photographing, electronic
 19 recording, broadcasting, or televising to the public of court
 20 proceedings over which that judge presides.

21 (b) AUTHORITY OF DISTRICT COURTS.—

22 (1) IN GENERAL.—Notwithstanding any other
 23 provision of law, any presiding judge of a district
 24 court of the United States may, in the discretion of
 25 that judge, permit the photographing, electronic re-

1 cording, broadcasting, or televising to the public of
2 court proceedings over which that judge presides.

3 (2) OBSCURING OF WITNESSES.—

4 (A) IN GENERAL.—Upon the request of
5 any witness in a trial proceeding other than a
6 party, the court shall order the face and voice
7 of the witness to be disguised or otherwise ob-
8 scured in such manner as to render the witness
9 unrecognizable to the broadcast audience of the
10 trial proceeding.

11 (B) NOTIFICATION TO WITNESSES.—The
12 presiding judge in a trial proceeding shall in-
13 form each witness who is not a party that the
14 witness has the right to request that the image
15 and voice of that witness be obscured during
16 the witness' testimony.

17 (c) ADVISORY GUIDELINES.—The Judicial Con-
18 ference of the United States may promulgate advisory
19 guidelines to which a presiding judge, in the discretion of
20 that judge, may refer in making decisions with respect to
21 the management and administration of photographing, re-
22 cording, broadcasting, or televising described under sub-
23 sections (a) and (b).

1 **SEC. 3. SUNSET.**

2 The authority under section 2(b) shall terminate 3
3 years after the date of the enactment of this Act.

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